

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOEY ELIJIO ADAMES,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-20-594-G
)	
SCOTT CROW, Director,)	
)	
Defendants.)	

ORDER

On June 22, 2020, Petitioner Joey Elijio Adames, a state prisoner, filed this action seeking federal habeas corpus relief pursuant to 28 U.S.C. § 2254. *See* Pet. (Doc. No. 1). In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Gary M. Purcell for preliminary review.

On October 19, 2020, Judge Purcell issued a Report and Recommendation (Doc. No. 12), in which he recommended that this matter be administratively closed to allow Petitioner to exhaust his state-court remedies. Judge Purcell further recommended that Respondent's Motion to Dismiss (Doc. No. 9) be denied. In the Report and Recommendation, Judge Purcell advised the parties of their right to object to the Report and Recommendation; however, no party filed an objection within the time allowed.

Following the issuance of the Report and Recommendation, Petitioner notified the Court that he has now exhausted his remedies in the state courts. *See* Doc. Nos. 13, 14; *see also* Doc. No. 13-1 (order of Oklahoma Court of Criminal Appeals affirming denial of

Petitioner's application for postconviction relief). It thus appears that the Court may properly give further consideration to the habeas claims raised by the Petition.

Accordingly, the Report and Recommendation (Doc. No. 12) is ADOPTED insofar as the recommended disposition of Respondent's Motion and is otherwise MOOT. Respondent's Motion to Dismiss (Doc. No. 9) is DENIED. Petitioner's motions to reopen (Doc. Nos. 15, 16) are DENIED AS MOOT.

This matter is re-referred to Judge Purcell for further proceedings consistent with the initial case referral.

IT IS SO ORDERED this 10th day of November, 2021.



CHARLES B. GOODWIN
United States District Judge